

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SIGNATURES NETWORK, INC.)	
a Delaware corporation,)	
)	
Plaintiff,)	CIVIL ACTION NO. 05 11478 RWZ
)	
vs.)	
)	
JOHN DOES 1-100, individuals,)	
JANE DOES 1-100, individuals,)	
and XYZ COMPANY, business)	
entity form unknown, inclusive,)	
)	
Defendants.)	
)	

DECLARATION OF PETER WEBER

I, PETER WEBER, hereby declare as follows:

1. I make this declaration in support of Signatures Network, Inc.'s ("Plaintiff") request that a preliminary injunction and order of seizure issue in the above referenced matter.

2. I have personal knowledge of the facts set forth herein and am authorized by Plaintiff to make this declaration. If called as a witness, I could and would be able to testify competently to such facts.

3. I make this declaration to inform the Court about the service of the Temporary Restraining Order; Order of Seizure; and Order to Show Cause Re: Preliminary Injunction (the "Order") previously issued by this Court and to support Plaintiff's request for a nationwide preliminary injunction and order of seizure be issued. The Order was issued to allow the seizure of unauthorized Tour Merchandise, as known

as "Bootleg Merchandise" or "Unauthorized Merchandise," that contains the federally registered name, likenesses and tour logos of the popular tour "**OZZFEST**" (the "Tour") the artist "**OZZY OSBOURNE**" and the group "**BLACK SABBATH**" (collectively, the "Artists").

4. I am responsible for, among other duties, coordinating the seizure of Bootleg Merchandise pursuant to the Order. Defendants, also known as Bootleggers, have plagued past Tours and those of the Artists. Plaintiff has obtained for these and for other artists orders similar to the order that Plaintiff requests the Court to issue, to allow Plaintiff to seize Bootleg Merchandise for the duration of the tour.

5. As expected, the defendant Bootleggers appeared with the Bootleg Merchandise at the Tour's/Artists' performance. We seized over Ninety (90) bootleg T-shirts and other Bootleg Merchandise since this Court has issued the Order. True and correct copies of some of the proofs of service and receipts for goods seized are attached hereto as Exhibit "A." Plaintiff's attorneys received samples of the Bootleg Merchandise we seized and original authorized merchandise for use in connection with these proceedings.

6. Almost all of the Defendants refused to identify themselves when served with the Order and the other documents and they do not carry any identification. In addition, many of the Defendants refused to accept a copy of the Order and the receipt. Often the Bootleggers, when approached by the officer or process server, would ask if the officer/server had an injunction or order. When the officer/server responded in the affirmative and tried to serve the Order, the Bootleggers would hand over or drop the

Bootleg Merchandise (and the Order just served on them) and then walk or run away before the officer/server could give to them a receipt.

7. As has been my experience with past tours of these and other artists, it is expected that these Bootleggers will travel to each of the upcoming performances of the Tour/Artists. I have already seen some of the defendants served at one performance appear at another performance on the tour selling Bootleg Merchandise. Most of the unauthorized T-shirts seized were identical or nearly identical to each other. Some of the T-shirts are "professional quality" and appear to have been produced in quantity and originated from a common source. All of the individuals from whom the Bootleg Merchandise was seized circulated in the crowd as the audiences were entering the arenas. Because they sold their goods before the show, they preempted Plaintiff's opportunity to sell authorized merchandise within the venue itself. Also some Bootleggers have brought the Bootleg Merchandise into the venue.

8. As stated in my previous declaration, in all of the matters I have handled since joining Plaintiff many years ago, I am not aware of any Bootlegger appearing in any action filed by Plaintiff, though thousands of people have been served and thousands of pieces of Bootleg Merchandise have been seized.

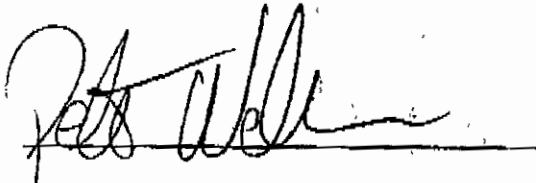
9. As previously discussed, the Tour and the Artists are extremely popular and the tour has been well received. Therefore, due to the popularity of the tour, additional dates are in the process of being added. Should the Court so require, we will inform the Court periodically of these additional dates as they are added to the schedule.

10. Based upon the foregoing, Plaintiff is requesting that the Court extend the effect of the Order and grant a preliminary injunction binding upon all persons served

with process, and on any other persons acting in concert with them, from selling Bootleg Merchandise on the tour, and allowing Plaintiff to seize such unauthorized merchandise.

I declare under penalty of perjury under the laws of the United States and the State of Massachusetts that the foregoing is true and correct.

Executed July 22, 2005.



PETER WEBER

SERVICE OF PROCESS AND RECEIPT FOR GOODS SEIZED

I, the undersigned below, being over 18 years of age and not a party to this action, a United States Marshal, state police officer, local police officer, local deputy sheriff, or off-duty officer of the same, or a person acting under their supervision, served a copy of the Complaint and the Temporary Restraining Order, Order of Seizure Order and Order to Show Cause Re: Preliminary Injunction and seized unauthorized goods from the individual listed below.

NAME AND ADDRESS OF PERSON
FROM WHOM THINGS WERE SEIZED

James Johnson AKA JJ
32 Mulberry Dr
West Roxbury MA

Tweeter Center, Mansfield MA

DATE: July 15, 2005

PLACE: _____

ITEM

QUANTITY

T-SHIRTS & JERSEYS

6 Black

HATS

OTHER (Please specify)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Signature of Server

Dennis O'Brien

w/m
27 yoa

SERVICE OF PROCESS AND RECEIPT FOR GOODS SEIZED

I, the undersigned below, being over 18 years of age and not a party to this action, a United States Marshal, state police officer, local police officer, local deputy sheriff, or off-duty officer of the same, or a person acting under their supervision, served a copy of the Complaint and the Temporary Restraining Order, Order of Seizure Order and Order to Show Cause Re: Preliminary Injunction and seized unauthorized goods from the individual listed below.

NAME AND ADDRESS OF PERSON
FROM WHOM THINGS WERE SEIZED

Dave Ross
3040 Adam St
Simi Valley CA 93062

DATE: July 15, 2005

PLACE. Tweeter Center, Mansfield MA

ITEM

QUANTITY

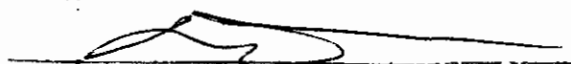
T-SHIRTS & JERSEYS

12 Black

HATS

OTHER (Please specify)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.


Signature of Server

Dennis O'Brien

SERVICE OF PROCESS AND RECEIPT FOR GOODS SEIZED

I, the undersigned below, being over 18 years of age and not a party to this action, a United States Marshal, state police officer, local police officer, local deputy sheriff, or off-duty officer of the same, or a person acting under their supervision, served a copy of the Complaint and the Temporary Restraining Order, Order of Seizure Order and Order to Show Cause Re: Preliminary Injunction and seized unauthorized goods from the individual listed below.

NAME AND ADDRESS OF PERSON
FROM WHOM THINGS WERE SEIZED

Bruce Lappen

Mandeston NH

Tweeter Center, Mansfield MA

DATE: July 15, 2005

PLACE: _____

ITEM

QUANTITY

T-SHIRTS & JERSEYS

12 Black

HATS

OTHER (Please specify)

46
YoA
w/m

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Signature of Server

Dennis O'Brien

SERVICE OF PROCESS AND RECEIPT FOR GOODS SEIZED

I, the undersigned below, being over 18 years of age and not a party to this action, a United States Marshal, state police officer, local police officer, local deputy sheriff, or off-duty officer of the same, or a person acting under their supervision, served a copy of the Complaint and the Temporary Restraining Order, Order of Seizure Order and Order to Show Cause Re: Preliminary Injunction and seized unauthorized goods from the individual listed below.

NAME AND ADDRESS OF PERSON
FROM WHOM THINGS WERE SEIZED

Alex Nelson
119 St Apt 24
Queens NY

DATE: July 15, 2005

PLACE: Tweeter Center, Mansfield MA

ITEM

QUANTITY

T-SHIRTS & JERSEYS


2

HATS

OTHER (Please specify)

31 yoa

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.


Signature of Server

Dennis O'Brien

SERVICE OF PROCESS AND RECEIPT FOR GOODS SEIZED

I, the undersigned below, being over 18 years of age and not a party to this action, a United States Marshal, state police officer, local police officer, local deputy sheriff, or off-duty officer of the same, or a person acting under their supervision, served a copy of the Complaint and the Temporary Restraining Order, Order of Seizure Order and Order to Show Cause Re: Preliminary Injunction and seized unauthorized goods from the individual listed below.

NAME AND ADDRESS OF PERSON
FROM WHOM THINGS WERE SEIZED

Daniel Laza
8721 109th St
Queens NY

DATE: July 15, 2005

PLACE: Tweeter Center, Mansfield MA

ITEM

QUANTITY

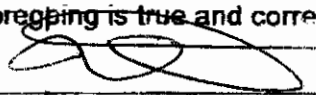
T-SHIRTS & JERSEYS

3 doz Black w/m 25 yoa

HATS

OTHER (Please specify)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.


Signature of Server

Dennis O'Brien

SERVICE OF PROCESS AND RECEIPT FOR GOODS SEIZED

I, the undersigned below, being over 18 years of age and not a party to this action, a United States Marshal, state police officer, local police officer, local deputy sheriff, or off-duty officer of the same, or a person acting under their supervision, served a copy of the Complaint and the Temporary Restraining Order, Order of Seizure Order and Order to Show Cause Re: Preliminary Injunction and seized unauthorized goods from the individual listed below.

NAME AND ADDRESS OF PERSON
FROM WHOM THINGS WERE SEIZED

George Gafferty
9016 105th ST
Queens NY

DATE: July 15, 2005

PLACE: Tweeter Center, Mansfield MA

ITEM

QUANTITY

T-SHIRTS & JERSEYS

3 doz Black

w/m

HATS

25 yof

OTHER (Please specify)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Signature of Server

Dennis O'Brien

SERVICE OF PROCESS AND RECEIPT FOR GOODS SEIZED

I, the undersigned below, being over 18 years of age and not a party to this action, a United States Marshal, state police officer, local police officer, local deputy sheriff, or off-duty officer of the same, or a person acting under their supervision, served a copy of the Complaint and the Temporary Restraining Order, Order of Seizure Order and Order to Show Cause Re: Preliminary Injunction and seized unauthorized goods from the individual listed below.

NAME AND ADDRESS OF PERSON
FROM WHOM THINGS WERE SEIZED

Michael Boyle
238 Madison Ave
NY NY

DATE: July 15, 2005

PLACE. Tweeter Center, Mansfield MA

ITEM

QUANTITY

T-SHIRTS & JERSEYS

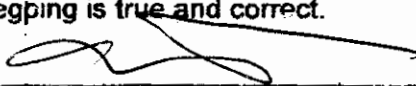
12 Black

w/m 38% A

HATS

OTHER (Please specify)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.


Signature of Server

Dennis O'Brien